

Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 AGRE-00 CEA-01 CIAE-00 COME-00

DODE-00 EB-07 FRB-03 H-02 INR-07 INT-05 L-03 LAB-04

NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15 STR-04

ITC-01 TRSE-00 USIA-06 PRS-01 SP-02 FEAE-00 OMB-01

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R 191630Z NOV 76

FM USMISSION OECD PARIS

TO SECSTATE WASH DC 4359

INFO USMISSION EC BRUSSELS

USDEL MTN GENEVA

LIMITED OFFICIAL USE SECTION 01 OF 02 OECD PARIS 34403

E.O. 11652: N/A

TAGS: OECD, MTN, ETRD

SUBJECT: NOV. 18 PLURILATERAL MEETING ON DRAFT OECD
PROCUREMENT CODE

REF: STATE 275085

SUMMARY:

PLURILATERAL MEETING AGREED THAT IF CHANGES, DELINEATED
BELOW, WERE MADE IN DRAFT TEXT OF THE CODE, THE
NOVEMBER 29 MEETING OF THE OECD TRADE COMMITTEE SHOULD
AGREE TO HAVE THE DOCUMENT DERESTRICTED AND SENT
FORTHWITH TO THE GATT. DERISBOURG CONFIDENT HE WILL
GET AGREEMENT OF NINE TO THIS PROPOSAL BEFORE TC MEETING
AND UNDERTOOK, ON TENTATIVE BASIS, THAT EC NINE
WOULD PUT PROPOSAL FORWARD IN TC AND SUPPORT IT. OTHER
DELS PRESENT (SWEDEN, SWITZERLAND, AND CANADA)
AGREED TO SUPPORT THIS ARRANGEMENT.

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END SUMMARY:

2. THE FOLLOWING CHANGES WOULD BE MADE IN THE CODE
TEXT (TC(76)21):

I. THE SECOND PARAGRAPH (IN BRACKETS) OF PARAGRAPH
27 WOULD BE DELETED AND A FOOTNOTE INDICATED WHICH
WOULD READ: "THE SUBJECT OF PUBLIC OPENING OF
BIDS IN OPEN PROCEDURES HAS BEEN RAISED BUT NO
AGREEMENT REACHED."

II. PARAGRAPH 35 WOULD BE DELETED AND A FOOTNOTE INDI-
CATED WHICH WOULD READ: "THE QUESTION OF A
PARAGRAPH ON THE DEGREE AND DETAILS OF EX POST
INFORMATION HAS BEEN RAISED BUT THERE WAS NO
AGREEMENT. THIS WOULD BE IN AMPLIFICATION OF PARA-
GRAPH 33."

III. PARAGRAPH 44 (II) WOULD BE REVISED TO READ: "EACH
SIGNATORY GOVERNMENT SHALL ACCORD THE BENEFIT OF
THE INSTRUMENT TO NATIONALS AND FIRMS OF ANY
SIGNATORY COUNTRY OFFERING GOODS ORIGINATING WITH-
IN THE SIGNATORY COUNTRIES. "THIS REVISED SUB-
PARAGRAPH WOULD ALSO HAVE THE FOLLOWING FOOTNOTE:
"THE BASES FOR DETERMINING CONDITIONAL MOST-
FAVORED-NATION TREATMENT AND ESPECIALLY THE
ORIGIN OF GOODS HAVE NOT YET BEEN AGREED."

IV. SUBPARAGRAPH (IV) OF PARAGRAPH 44 WOULD BE DELETED
AND THE FOLLOWING INSERTED IN ITS PLACE: "P.M.
THE QUESTION OF SPECIAL AND DIFFERENTIAL TREATMENT
FOR DEVELOPING COUNTRIES WILL BE ADDRESSED AT THIS
POINT WHEN THERE IS A BETTER APPRECIATION OF THE
CONTENT OF THE CODE AND THE NEEDS OF THE DEVEL-
OPING COUNTRIES."

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NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15 STR-04

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V. SUBPARAGRAPH (V) OF PARAGRAPH 44 WOULD BE DELETED
AND A FOOTNOTE INDICATED WHICH WOULD READ: "THE
QUESTION REMAINS AS TO WHETHER THE RULE IN
SUBPARAGRAPH (III) SHOULD APPLY IN CASES OF FREE
TRADE AREAS OR CUSTOMS UNIONS."

VI. THE HEADING ON PAGE 30 OF THE DRAFT CODE WOULD
BE REVISED TO READ: "OPEN BRACKET-DEROGATIONS
AND/OR ESCAPE CLAUSE-CLOSE BRACKET." ALL EXISTING
MATERIAL UNDER THAT HEADING WOULD BE DELETED AND
REPLACED BY "P.M. THE QUESTION IS NOT SOLVED
WHETHER THE INSTRUMENT WILL INCLUDE DEROGATION
CLAUSES AND/OR AN ESCAPE CLAUSE."

VII. SUBPARAGRAPH (5) (B) AND (6) OF PARAGRAPH 14
WOULD BE DELETED AND THE REST OF PARAGRAPH 14
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RENUMBERED TO TAKE ACCOUNT OF THESE DELETIONS.

VIII. THE RIGHT HAND COMMENT PAGES OF THE TEXT WILL BE
ELIMINATED (EXCEPT FOR CODE TEXT WHICH IS NOW
CARRIED OVER TO THE RIGHT HAND PAGES, E.G. PARA-
GRAPH 42) AND EXCEPT THAT THE FOLLOWING EXISTING
NOTES WILL BECOME FOOTNOTES TO THE APPROPRIATE
TEXT PARAGRAPHS:

- A. AD 2 AND 3 (PG. 5)
- B. AD 4 (PG. 5)
- C. AD 14B (PG. 13)

D. AD 15 (PG. 13)

E. AD 38 (PG. 27)

IN CONVERTING THE ABOVE LISTED COMMENTS INTO
FOOTNOTES REFERENCES TO TC(76)6 WILL BE OMITTED.
TURNER

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Message Attributes

Automatic Decaptioning: X
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